

HOUSE BILL 1484

By Smith

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 55, relative to motor vehicle offenses and
criminal law.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-192, is amended by deleting the existing language in its entirety and substituting instead the following:

(a) No driver shall operate a school bus as defined by § 55-8-101 anywhere in this state while using a portable electronic device while the vehicle is in motion and while the vehicle is transporting one (1) or more children.

(b) As used in this section, "portable electronic device" means any:

- (1) Mobile, cellular, analog, wireless, or digital telephone;
- (2) Personal digital assistant;
- (3) Hand-held device with mobile data access;
- (4) Laptop computer;
- (5) Pager;
- (6) Broadband personal communication device;
- (7) Two-way messaging device;
- (8) Electronic game;
- (9) Camera;
- (10) Portable computing device;
- (11) Global positioning system, if the driver is using at least one (1) hand to hold the device or to enter data into the device while the school bus is in motion; or

(12) Electronic device used to input, write, send, receive, read, or view text or media for present or future communication.

(c) This section shall not apply to:

(1) Two-way radio communications made to and from a central dispatch, school transportation department or its equivalent; or

(2) The use of a device capable of voice communication to report an emergency to the 911 system, a law enforcement agency, fire department, or emergency medical provider.

(d) A violation of this section is a Class A misdemeanor, punishable by a minimum period of confinement of not less than thirty (30) days; a minimum fine of not less than one thousand dollars (\$1,000); and the court shall order that a person convicted of violating this section is permanently prohibited from operating a school bus as defined by § 55-8-101 in the state of Tennessee.

SECTION 2. Tennessee Code Annotated, Section 55-50-501, is amended by adding the following new subsection (d):

(d) The commissioner shall permanently revoke a school bus endorsement held by any operator or chauffeur upon receiving the record of such operator's or chauffeur's conviction for using a portable electronic device while operating a school bus, as prohibited by § 55-8-192.

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.